

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.3
Effective Date: October 19, 2010	Page 1 of 2

KFCP EXCEPTION REQUEST PROCESS ADDENDUM

1. An Exception Request may not be submitted to DAIL until all eligibility verification has been completed.
2. All other needs requested for the grandchild or grandchildren named on the Exception Request must be processed before submitting an Exception Request. (This refers to the needs stated in the regulations and indicated on Page 2 of the Application).
3. When submitting an Exception Request to DAIL, include Page 2 of the application for each grandchild named on the Exception Request
4. All other resources must be exhausted by GP and program staff before submitting an Exception Request to DAIL and documentation showing that must be submitted with the request.
5. The Exception Request must pertain specifically to the grandchild or grandchildren. Requests concerning home or vehicle repair, for example, must be directly related to the need and use of the grandchild regarding safety and welfare. Program person must assure that is documented and justified for that Exception Request.
6. The KFCP funds were not intended to pay ongoing bills or payments such as rent, mortgage, car payment, car insurance, utilities, fees or dues. If there is an Exception Request of this nature; it will not be considered.
7. If the need is therapeutic/medical/educational in nature for a grandchild or grandchildren; there must be justification from a professional. A professional would be a physician, therapist (OT/PT/REC/SPEECH), counselor, teacher or other professional that can attest to the value and benefit for the child regarding the need being requested.
8. When there is an Exception submitted requesting to go over the \$1500 household limit stated in the regulations the request must be for needs related to the direct use and benefit of the grandchildren. The maximum exception request is limited to \$1500 per household.
9. Page 2 of the Kentucky Family Caregiver Program Application, Grandchild Information; must be submitted for each grandchild regarding the request to go over the \$1500 household cap showing

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.3
Effective Date: October 19, 2010	Page 2 of 2

the needs and the cost of each item and following items 1-5 of this Addendum on the previous page.

10. **NOTE:** The limit per fiscal year remains *no more than* \$500 per grandchild for all requests.
 11. It is the task of the AAAIL Program Coordinator or Program Staff to assure that the Exception Request is clear and understandable for the review team and that all supporting documentation is submitted with the Exception Request review team to make an informed and fair decision.
 12. DAIL will review the Exception Request once received from the AAAIL for all required information and submissions before faxing to the review team. If the Exception Request is not clear, information is missing and or additional information is needed; DAIL will contact the AAAIL and send the Exception Request back to the AAAIL, if necessary, for further information before it can be submitted to the Exception Request review team.
-

CAREGIVER SUPPORT SERVICES National Family Caregiver Support Program	DAIL – CSS – 5.1
Effective Date: December 30, 2009	Page 1 of 4

National Family Caregiver Support Program

Introduction

The Older Americans Act authorized the National Family Caregiver Support Program in 2000. Family Caregivers provide the vast majority of the assistance that enables older people to live independently in their homes and communities.

Family caregivers face substantial stress and burdens as a consequence of care giving obligations. Prolonged care giving can adversely affect one's physical and psychological health, current and future employment status and earning capability, ability to balance the needs of older parents and younger family members, and the ability to meet personal needs.

Because caregivers play such an important role, services that sustain a caregiver's role and maintain their emotional and physical health are an important component of any home and community-based care system.

The major activity of the National Family Caregiver Support Program is to support caregivers through statewide programs that provide information, assistance and access, training, respite, counseling, support groups and other services as provided. National Family Caregiver Support Program policy is applicable to the Title III-E of the Older Americans Act and Kentucky Revised Statute.

The Department for Aging and Independent Living uses grants from the Administration on Aging to provide funding which is distributed to the 15 Area Agencies on Aging and Independent Living for program implementation. Funds distributed by the Department for Aging and Independent Living for the National Family Caregiver Support Program shall be based on the proportion of individuals 60 years of age and adjusted to meet the requirements of the 1965 Older Americans Act.

The Federal share of the cost of carrying out this program shall be 75%. The non-federal share (25%) of the cost shall be provided from local sources. No more than 20% of the total funds can be used for Supplemental Services. No more than 10% of the total funds shall be allocated to the implementation of services to grandparents and older individuals who are relative caregivers to children 18 and younger.

CAREGIVER SUPPORT SERVICES National Family Caregiver Support Program	DAIL – CSS – 5.1
Effective Date: December 30, 2009	Page 2 of 4

Eligibility

Services under this program shall be provided to family and informal caregivers caring for an adult 60 or older or an individual of any age with Alzheimer's or related disorders.

Services are also available for grandparents and relatives (does not include a parent) age 55 or older who are providing care to an child not more than 18 years of age, or an adult (age 19-59) with a disability.

The State shall give priority for services to older individuals with greatest social and economic need, (with particular attention to low-income older individuals) and older individuals providing care and support to persons with mental retardation and related developmental disabilities (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001))

Definitions

- (1) CHILD- The term "Child" means an individual who is not more that 18 years of age.
- (2) FAMILY CAREGIVER – The term "family caregiver" means an adult family member or another individual who is an informal provider of in-home and community care to an older individual or an individual of any age with Alzheimer's or a related diagnosis.
- (3) GRANDPARENT OR OLDER INDIVIDUAL WHO IS A RELATIVE CAREGIVER – The term "grandparent or older individual who is a relative caregiver" means a grandparent or step grandparent of a child, or a relative of a child by blood, marriage, who is 55 years of age or older and:
 - (a) lives with the child;
 - (b) is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and
 - (c) has a legal relationship to the child, such as legal custody or guardianship, or is raising the child informally
- (4) SUPPORT SERVICES – Support services means the services provided by the Area Agency on Aging and Independent Living or entity with which such agency has contracted.
 - (a) **Information** to caregivers about available services;
 - (b) **Assistance** to caregivers in gaining access to the services;

CAREGIVER SUPPORT SERVICES National Family Caregiver Support Program	DAIL – CSS – 5.1
Effective Date: December 30, 2009	Page 3 of 4

- (c) **Individual counseling, organization of support groups, and caregiver training** to assist the caregivers in making decisions and solving problems relating to the care giving roles;
- (d) **Respite care*** to enable caregivers to be temporarily relieved from their care giving responsibilities; and
- (e) **Supplemental services**,* on a limited basis, to complement the care provided by caregivers

* For respite and supplemental services, the care recipient must meet the definition of frail: be functionally impaired in the performance of two activities of daily living; or three instrumental activities of daily living; or a combination of one activity of daily living and two instrumental activities of daily living.

Responsibilities

The Area Agency on Aging and Independent Living shall:

- (1) Administer periodic, area wide needs assessment with the goal of generating data and other information relative to the development of caregiver directed services.
- (2) Develop intake and assessment forms to determine the needs of the client including the following information on both the care recipient and caregiver: name, age, DOB, residency, income, living arrangements, citizenship, physical health, mental and emotional state.
- (3) Assure that services and/or referrals based on needs identified in the assessment are documented in some manner in each client's record.
- (4) Establish a protocol to provide services to those who are considered priority population
- (5) Establish waiting list protocol
- (6) Establish individual spending allotments for those participating in the NFCSP
- (7) Establish and maintain service delivery relationships with providers
- (8) Establish internal policy to ensure timely, quality, and appropriate services are provided
- (9) Maintain records for review by Department for Aging and Independent Living and the Administration on Aging
- (10) Comply with reporting procedures as required by the Department for Aging and Independent Living and the Administration on Aging
- (11) Permit staff of the Department for Aging and Independent Living and federal representatives to monitor and inspect the operation
- (12) Distribute client satisfaction surveys and compile responses to measure outcomes

CAREGIVER SUPPORT SERVICES National Family Caregiver Support Program	DAIL – CSS – 5.1
Effective Date: December 30, 2009	Page 4 of 4

- (13) Establish a system for local conflict resolution for those who have been denied services

The service provider contracting to provide services under the National Family Caregiver Support Program shall:

- (1) Provide services in accordance to the requirements to the National Family Caregiver Support Program
- (2) Provide the contracting agency with statistical and other information as requested and required
- (3) Permit staff of the Area Agency on Aging and Independent Living, the Department for Aging and Independent Living and federal representatives to monitor and inspect the operation
- (4) Employ qualified staff to ensure the satisfactory implementation of this program
- (5) Attend any and all meetings scheduled by the Area Agency on Aging and Independent Living and the Department for Aging and Independent Living

The State Unit on Aging/Department for Aging and Independent Living shall:

- (1) Direct the statewide administration of the National Family Caregiver Support Program.
- (2) Provide direction and technical assistance, guided by the requirements set forth in the Older Americans Act to Area Agencies on Aging and independent Living in the development and implementation of the program
- (3) Employ staff to oversee the Area Agency's on Aging and Independent Living operation of the National Family Caregiver Support Program and to serve as the Commonwealth of Kentucky contact person.
- (4) Complete yearly monitoring of the National Family Caregiver Support Program and provide the Area Agency on Aging and Independent Living a written summary of findings.
- (5) Establish standards and mechanisms designed to assess and ensure the quality of services provided.
- (6) Prepare and submit to the Assistant Secretary of Administration on Aging reports on the data records required.
- (7) Collect data and maintain records relating to the administration of the program.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 1 of 9

Kentucky Family Caregiver Program

Introduction

The major activity of the Kentucky Family Caregiver Program is to support grandparent caregivers through statewide programs that provide information, access and assistance, training, counseling, support groups and supplemental services. The program is to be coordinated with the Title III-E National Family Caregiver Support Program of the Older Americans Act.

The Kentucky Department for Aging and Independent Living administers the program. The program is supported by general funds and is implemented regionally by the 15 Area Agencies on Aging and Independent Living. The State shall give priority for services to individuals with greatest social and economic need.

Funds distributed by the Department for Aging and Independent Living for the Kentucky Family Caregiver Program shall be based on the proportion of individuals 60 years of age and adjusted to meet the requirements of the 1965 Older Americans Act. The Kentucky Family Caregiver Support Program policy is applicable to Kentucky Administrative Regulation 910 1:260

Definitions

- (1) District is defined by KRS 205.455(4).
- (2) Exception Committee means a committee comprised of three (3) district directors or their designee.
- (3) Federal poverty level means the degree to which a household's gross income matches the official poverty income guidelines published annually in the Federal Register by the U.S. Department of Health and Human Services.
- (4) Formal support system means a service obtainable through public or private service programs.
- (5) Grandchild means a grandparent's grandchild
- (6) Grant means a payment to a grandparent for services specified in 910 KAR 1:260 and based on **need** and **actual cost**.
- (7) Household means an individual or group of individuals who are living together in a principal residence as one (1) economic unit.
- (8) Household income means **all annual gross earned and unearned** income received by a household, including a: lump sum payment; or state or federal benefit assistance payment.
- (9) Informal support system means any care provided to an individual, which is not provided as part of a public or private formal service program.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 2 of 9

- (10) Local resolution means a phone conversation or meeting between a grandparent and district to resolve the grandparent's dispute against denial of eligibility.
- (11) National Family Caregiver Support Program is defined by 42 U.S.C. 3030s.
- (12) Primary caregiver means a grandparent providing full time care for that person's grandchild.
- (13) Respite assistance is defined by KRS 205.455(12).
- (14) Supplemental services are the services a grandparent may receive in accordance with Section 9 of 910 KAR 1:260 through application and grant or voucher process.
- (15) Support services means the services a grandparent may receive in accordance with Section 7 of 910 KAR 1:260 through application and grant or voucher process.
- (16) Voucher means a payment made directly to a vendor for the services specified.

Eligibility

To be eligible for the Kentucky Family Caregiver Program, a grandparent shall:

- (1) Be a Kentucky resident;
- (2) Be the primary caregiver for a grandchild;
- (3) Be related to the grandchild, who is no more than 18 years of age, by birth, marriage, or adoption
- (4) Reside with the grandchild and not with the either parent in the same home, although the home can be owned by the parent;
- (5) Not receive a monthly payment for Kinship Care;
- (6) Not have household income that exceeds 150% of the federal poverty level.
- (7) A grandparent who has adopted a grandchild shall be eligible for the Kentucky Family Caregiver Program if the grandparent is not eligible for other state or federal adoption subsidies, and for a period not to exceed one (1) calendar year from final order of adoption.

Grandparent shall:

- (1) Apply or reapply for the Kentucky Family Caregiver Program through their local district of residence for each voucher or grant requested, by completing, signing, and submitting a DAIL-KFC-1 Kentucky Family Caregiver Program Application.
- (2) Provide a district with requested information to establish and verify eligibility
- (3) Comply with the exception request process.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 3 of 9

- (4) Comply with the district's policy for expenditures of assistance, including a grant or voucher
- (5) Comply with appeal procedures presented by the district
- (6) Notify the district immediately of a change in status that is in noncompliance with eligibility requirements.

The Area Agency on Aging and Independent Living shall:

- (1) Develop a regional plan to outline the services and outcomes for implementation of the Kentucky Family Caregiver Program.
- (2) Administer periodic, area wide needs assessment with the goal of generating data and other information relative to the development of caregiver directed services.
- (3) Provide services in accordance to the requirements of 919 KAR 1:260 and all provider guidelines from DAIL.
- (4) Develop policy for grandparent outreach of the Kentucky Family Caregiver Program.
- (5) Inform grandparents of their rights and responsibilities to include the application process, eligibility for the program and verification process; the exception process, how the grant or voucher process works to provide for identified needs and services; and the appeal process to include time frames and procedure for a local resolution.
- (6) Develop a process to establish and verify eligibility.
- (7) Develop an internal policy for home visiting if deemed necessary by the district due to uncertainty regarding eligibility or requested need.
- (8) Establish a relationship with the local Department for Community Based Services office to verify benefits being received; to include any Kinship payments.
- (9) Develop policy on client confidentiality and referral.
- (10) Develop process for using a grant or voucher for identified needs and services, for billing a participating vendor, and verifying receipts and invoices.
- (11) Document and maintain a case file in a locked cabinet for each grandparent that includes an assigned case number. The case file must include the following documentation secured to the file:
 - (a) completed application,
 - (b) documentation of verification of eligibility,
 - (c) confidentiality and release of information if applicable,
 - (d) notification of rights and responsibilities,
 - (e) services provided,
 - (f) referrals and resources given,

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 4 of 9

- (g) correspondence,
 - (h) case notes, and
 - (i) termination from program services as needed
- (12) Establish a waiting list protocol.
 - (13) Establish individual spending allotments keeping within the limits set forth in the regulations for those participating in the Kentucky Family Caregiver Program based on requested need and availability of funds.
 - (14) Establish and maintain service delivery relationships with providers.
 - (15) Establish internal policy to ensure timely, quality, and appropriate services are provided.
 - (16) Maintain records for review by Department for Aging and Independent Living.
 - (17) Comply with reporting procedures as required by the Department for Aging and Independent Living to include numbers of grandparents and grandchildren served.
 - (18) Permit staff of the Department for Aging and Independent Living to monitor and inspect the operation and records.
 - (19) Distribute client satisfaction surveys and compile responses to for submission to DAIL.
 - (20) Establish a system for a local resolution for those who have been denied services.
 - (21) Establish a process for internal evaluation and monitoring of the program to ensure quality and accountability.
 - (22) Monitor any subcontracts, if applicable, to insure quality services provision and compliance of all program requirements.

The service provider contracting to provide services under the Kentucky Family Caregiver Program, if applicable, shall:

- (1) Provide services in accordance to the requirements to the Kentucky Family Caregiver Program as stated in 910 KAR 1:260.
- (2) Provide the contracting agency with statistical and other information as requested and required.
- (3) Permit staff of the Area Agency on Aging and Independent Living and the Department for Aging and Independent Living to monitor and inspect the operation.
- (4) Employ qualified staff to ensure the satisfactory implementation of this program.
- (5) Attend any and all meetings scheduled by the Area Agency on Aging and Independent Living and the Department for Aging and Independent Living.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 5 of 9

The Department for Aging and Independent Living shall:

- (1) Direct the statewide administration of the Kentucky Family Caregiver Program.
- (2) Shall provide direction and technical assistance to Area Agencies on Aging and Independent Living in the development and implementation of the program; guided by the requirements set forth by 910 KAR 1:260 and Department policy.
- (3) Employ staff to oversee the Area Agency's on Aging and Independent Living operation of the Kentucky Family Caregiver Program and to serve as the Commonwealth of Kentucky contact person.
- (4) Allocate available funding.
- (5) Complete yearly monitoring of the Kentucky Family Caregiver Program to assure compliance with program requirements of KAR 910 1:260 and Department policy, and provide the Area Agency on Aging and Independent Living a written summary.
- (6) Establish standards and mechanisms designed to assess and ensure the quality of services provided.
- (7) Coordinate the Exception Request process between the Area Agencies on Aging and independent Living and the Exception Review Committee appointed by the Executive Director of the Kentucky Association of Area Development Districts by June 1 prior to each fiscal year.
- (8) Maintain a listing of appointed Area Development District Directors to the Exception Request Review Committee each fiscal year.
- (9) Prepare and submit to the Secretary of The Cabinet for Health and Family Services reports on the data records as required.
- (10) Collect data and maintain records relating to the administration of the program.

Application

- (1) Grandparent completes the Kentucky Family Caregiver Program Application and submits to the Area Agency on Aging and Independent Living in their district.
- (2) AAAIL program staff reviews application for completeness of information, signatures, and dates.
- (3) Applications should be considered on a priority basis, with applicants that did not receive services through the program in the previous fiscal year, receiving higher priority.
- (4) If the application is complete, agency staff signs, dates, and begins verifying eligibility per agency policy, to include the following:

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 6 of 9

- (a) confirm any benefits received from the Department of Community Based Services, especially Kinship Care;
 - (b) relationship between grandparent and grandchild;
 - (c) residency;
 - (d) living arrangements (grandparent is primary caregiver and neither parent residing in the same home as the grandchild);
 - (e) the age of the grandchild as no older than 18 years of age, and;
 - (f) household income is at or below 150% of the Federal Poverty Level
- (5) Household income is verified by the following documents:
 - (a) federal tax form;
 - (b) W-2;
 - (c) a pay stub; or
 - (d) other documentation of monthly income
- (6) Once all eligibility is verified, agency staff has 30 days to notify applicant of eligibility and begin processing voucher or grant.
- (7) Before approving the requested need, agency staff will consider other formal or informal supports and services available to provide the need the grandparent has requested for the child.

Ineligibility/Appeal

- (1) If deemed not eligible, the applicant shall be notified of that outcome per agency policy and informed of their right to request a local resolution as well as a formal hearing in accordance with KRS 13B if not satisfied with outcome of local resolution.
- (2) The appeal process is only available regarding eligibility; all other complaints and grievances are to be handled via the agency's Grievance Procedure.
- (3) Once services (voucher or grant) are completed, application should be placed in file folder with any other documentation regarding the applicant.
- (4) A new application must be completed and submitted for each new need/request for a voucher or grant.
- (5) A payment from the Kentucky Family Caregiver Program (KFCP) may affect the eligibility income requirements for receipt of a federal, or state, benefit assistance payment.
- (6) If a child receives assistance from the Kentucky Children's Health Insurance Program or Department for Medicaid Services, the child shall not be eligible to receive assistance with medical needs via the KFCP.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 7 of 9

- (7) National Family Caregiver Support Program participation shall not exclude participation in the KFCP.

Exception Request Process

Applicant completes the Exception Request form (page 3 of the DAIL-KFC-1 Application for Kentucky Family Caregiver Services) along with the entire application and submits to the local Area Agency on Aging and Independent Living (AAAIL)

- (1) AAAIL reviews the entire application for completeness and accuracy;
- (2) AAAIL verifies all eligibility criteria;
- (3) AAAIL staff signs and dates the Authorization and Signature Page (page 4 of the application) and then may proceed with funding the authorized needs that are not part of the Exception Request;
- (4) If there is an Exception Request, the grandparent must sign and date page 3 verifying that they are submitting an Exception Request as well as the required signatures on page 4;
- (5) AAAIL staff sends **the Exception Request along with page 1 of the application** to DAIL by fax, (502) 564-4595, **within two (2) business days of verification of eligibility**; Fax cover sheet must state EXCEPTION REQUEST- Grandparent, name of the AAAIL, and Coordinator name.
(Note: The entire application must be completed with all needed signatures and dates and all eligibility must be verified before submitting the Exception Request.)
- (6) DAIL receptionist will log in the packet received by fax, date stamp the packet and inform the Kentucky Family Caregiver Program (KFCP) Coordinator, designee, or Branch Manager that the packet has been received.
- (7) The KFCP Coordinator, designee, or Branch Manager will sign and date the Exception Request form that it has been received;
- (8) The KFCP Coordinator, designee, or Branch Manager will fax the Exception Request to the designated Exception Committee members and document the date faxed on the cover sheet **within two (2) business days of receipt from the AAAIL.**
- (9) The Exception Committee is comprised of three ADD Directors, which are selected each fiscal year by the Executive Director of the Kentucky Council of Area Development Districts.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 8 of 9

- (10) The KFCP Coordinator will contact the Executive Director of the Kentucky Council of Area Development Districts by June 1 annually to request the three ADD Directors selected for the upcoming fiscal year.
- (11) The KFCP Coordinator will maintain the list of Exception Committee members for the fiscal year.
- (12) Regulation allows for the purchase of clothing, personal care needs, educational needs, supplies, equipment, tutoring/academic assistance required by the school, medical or dental assistance, legal expenses directly related to the safety and stability of the grandchild and not of a criminal nature, furniture for the grandchild such as bed (crib) or a dresser, and respite;
- (13) The Exception Request is for the following:
 - (a) any need not specified in the regulation, or;
 - (b) to increase the household cap of \$1500 (not to exceed \$500 per grandchild).
- (14) The Exception Request decision shall be based on criteria that may include:
 - (a) The request is for an actual need and the direct use of the grandchild only.
 - (b) The request is valid and justified based on: age of grandchild(ren); number of grandchildren; overall situation, other resources/supports available to meet the requested need (formal and informal).
 - (c) The request does not creating a dependency issue for the grandparent on the program services or setting a precedent regarding the program parameters.
- (15) Exception Committee will, **within five (5) business days from receipt of the exception request from DAIL**, review and discuss the Exception Request and approve or deny.
- (16) One Exception Team representative shall document the date reviewed; whether approved or denied; state the justification for approving or denying the request using the Comments section provided, sign and date the form and submit to DAIL by fax to KFCP Coordinator, designee, or Branch Manager within the time frame stated in #15 above.

CAREGIVER SUPPORT SERVICES Kentucky Family Caregiver Program	DAIL – CSS – 5.2
Effective Date: June 4, 2010	Page 9 of 9

- (17) The DAIL KFCP Coordinator, designee, or Branch Manager will sign and date the Exception Request form and submit by fax to the AAAIL **within two (2) business days of receipt from Exception Committee.** A courtesy phone call to the AAAIL can be made as well indicating the decision for the request.
- (18) AAAIL will notify the grandparent by phone **within two (2) days of receipt of the decision from DAIL** and sign and date the Exception Request form on the date grandparent was called with the decision.
- (19) If the request is approved, the AAAIL will proceed with the Exception Request via their agency policy for processing the voucher or grant.
- (20) The decision of the Exception Committee is final and is not eligible for appeal.
- (21) Misuse of the voucher or grant, or giving false information, will be considered fraud and may result in prosecution under KRS 514 as stated in the regulations for this program.